HON'BLE SRI JUSTICE A. GOPAL REDDY

WRIT PETITION NO.36669 OF 1998

DATE:05.07.2006

Between:

Kishan Lal

..... PETITIONER

AND

The Commissioner of Prohibition and
Excise, Opp:Gandhi Bhavan, M.J.Road,
Hyderabad and two others.

.....RESPONDENTS

HON'BLE SRI JUSTICE A. GOPAL REDDY

W.P. No.36669 OF 1998

ORDER:

This Writ Petition is filed challenging the seizure of the scooter of the petitioner, which was allegedly involved in transportation of 30 litres of illicit liquor and rejection of his petition dated 9.7.1998 for release of the said scooter by the second respondent and confirmation of the same by the first respondent by order dated 27.11.1998.

This Court, while admitting the writ petition, by an order dated 31.12.1998 directed the respondents to release the scooter in question with certain conditions, pending confiscation proceedings. In spite of the said order, no counter affidavit has been filed opposing the claim of the petitioner.

In that view of the matter, it is directed that the release of the vehicle pursuant to the interim direction of this Court dated 27.11.1998 will be subject to the result of confiscation proceedings already initiated against the petitioner. If the confiscation proceedings have already been concluded and if the petitioner has any grievance, he is at liberty to challenge the same before the appropriate forum.

With the above direction, the Writ Petition is disposed of. No costs.

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A. GOPAL REDDY, J

05th JULY, 2006.
Tsr